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DOCUMENTS

Accompanying the President's Message.

FROM THE DEPARTMENT OF STATE.

Mr. Fox to Mr. Webster.

Washington, March 13, 1841.

The undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, is instructed by his Government to make the following official communication to the Government of the United States:

Her Majesty's Government have had under their consideration the correspondence which took place at Washington in December last, between the United States Secretary of State, Mr. Forsyth, and the undersigned, comprising two official letters from the undersigned, to Mr. Forsyth, dated the 13th and 29th of December; and two official letters from Mr. Forsyth to the undersigned, dated the 28th and 30th of the same month, upon the subject of the arrest and imprisonment of Mr. Alexander McLeod of Upper Canada, by the authorities of the State of New York, upon a pretended charge of arson and murder as having been engaged in the capture and destruction of the Steamboat "Caroline" on the 26th of December, 1837.

The undersigned is directed in the first place to make known to the Government of the United States that Her Majesty's Government entirely approve of the course pursued by the undersigned in that correspondence, and of the language adopted by him in the official letters above mentioned.

And the undersigned is now instructed again to demand from the Government of the United States, formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod.

The grounds upon which the British Government make this demand upon the United States are these: That the transaction on account of which Mr. McLeod has been arrested and is to be put upon his trial, was a transaction of a public character, planned and executed by persons duly empowered by Her Majesty's Colonial Authorities to take any steps and to do any act which might be necessary for the defence of Her Majesty's territories, and for the protection of Her Majesty's subjects; and that consequently those subjects of Her Majesty who engaged in that transaction were performing an act of public duty for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country.

The transaction in question may have been, as Her Majesty's Government are of opinion that it was, a justifiable employment of force for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates, who having been permitted to arm and organize themselves within the territory of the United States, had actually invaded and occupied a portion of the territory of Her Majesty, or it may have been, as alleged by Mr. Forsyth in his note to the undersigned of the 26th of December, "a most unjustifiable invasion in time of peace of the territory of the United States." But this is a question essentially of a political and international kind, which can be discussed and settled only between the two Governments, and which the courts of justice of the State of New York cannot by possibility have any means of judging or any right of deciding.

It would be contrary to the universal practice of civilized nations to fix individual responsibility upon persons who, with the sanction or by the orders of the constituted authorities of a State, engaged in military or naval enterprises in their country's cause; and it is obvious that the introduction of such a principle would aggravate beyond measure the miseries, and would frightfully increase the demoralizing effects of war, by mixing up with national exasperation the ferocity of personal passions, and the cruelty and bitterness of individual revenge.

Her Majesty's Government cannot believe that the Government of the United States can really intend to set an example so fraught with evil to the community of nations, and the direct tendency of which must be to bring back into the practice of modern war atrocities which civilization and Christianity have long since banished.

Neither can Her Majesty's Government admit for a moment the validity of the doctrine advanced by Mr. Forsyth, that the Federal Government of the United States has no power to interfere in the matter in question, and that the decision thereof must rest solely and entirely with the State of New York.

With the particulars of the internal compact which may exist between the several States that compose the Union, foreign Powers have nothing to do: the relations of foreign Powers are with the aggregate Union that is to them represented by the Federal Government; and of that Union the Federal Government is to them the only organ. Therefore, when a foreign Power has redress to demand for a wrong done to it by any State

of the Union, it is to the Federal Government, and not to the separate State, that such Power must look for redress for that wrong. And such foreign Power cannot admit the plea that the separate State is an independent body over which the Federal Government has no control. It is obvious that such a doctrine, if admitted, would at once go to a dissolution of the Union as far as its relations with foreign Powers are concerned; and that foreign Powers, in such case, instead of accrediting diplomatic agents to the Federal Government, would send such agents not to that Government, but to the Government of each separate State; and would make the relations of peace and war with each State depend upon the result of their separate intercourse with such State, without reference to the relations they might have with the rest.

Her Majesty's Government apprehend that the above is not the conclusion at which the Government of the United States intend to arrive; yet such is the conclusion to which the arguments that have been advanced by Mr. Forsyth necessarily lead.

But be that as it may, Her Majesty's Government formally demand, upon the grounds already stated, the immediate release of Mr. McLeod; and Her Majesty's Government entreat the President of the United States to take into his most deliberate consideration the serious nature of the consequences which must ensue from a rejection of this demand.

The United States government will perceive that, in demanding Mr. McLeod's release, Her Majesty's Government argue upon the assumption that he was one of the persons engaged in the capture of the Steamboat "Caroline;" but Her Majesty's Government have the strongest reasons for being convinced that Mr. McLeod was not in fact engaged in that transaction; and the undersigned is herewith instructed to say that although the circumstance itself makes no difference in the political and international question at issue; and although Her Majesty's Government do not demand Mr. McLeod's release upon the ground that he was not concerned in the capture of the "Caroline," but upon the ground that the capture of the "Caroline" was a transaction of a public character for which the persons engaged in it cannot incur private and personal responsibility; yet the Government of the United States must not disguise from themselves that the fact that Mr. McLeod was not engaged in the transaction must necessarily tend greatly to inflame that national resentment which any harm that shall be suffered by Mr. McLeod at the hands of the authorities of the State of New York will infallibly excite throughout the whole of the British Empire.

The undersigned, in addressing the present official communication, by order of his Government, to Mr. Webster, Secretary of State of the United States, has the honor to offer to him the assurance of his distinguished consideration.

H. S. FOX.

The Hon. DANIEL WEBSTER, &c. &c. &c.

Mr. Webster to Mr. Fox.

Department of State,
Washington, April 24, 1841.

The undersigned Secretary of State of the United States, has the honor to inform Mr. Fox, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, that his note of the 13th of March was received and laid before the President.

Circumstances well known to Mr. Fox have necessarily delayed, for some days, the consideration of that note.

The undersigned has the honor now to say that it has been fully considered, and that he has been directed by the President to address to Mr. Fox the following reply:

Mr. Fox informs the Government of the United States that he is instructed to make known to it that the Government of Her Majesty entirely approve of the course pursued by him in his correspondence with Mr. Forsyth in December last, and the language adopted by him on that occasion; and that that Government have instructed him "again to demand from the Government of the United States, formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod;" that "the grounds upon which the British Government make this demand upon the Government of the United States are these: That the transaction on account of which Mr. McLeod has been arrested and is to be put upon his trial was a transaction of a public character, planned and executed by persons duly empowered by Her Majesty's Colonial Authorities to take any steps and to do any act which might be necessary for the defence of Her Majesty's territories, and for the protection of Her Majesty's subjects; and that consequently those subjects of Her Majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country."

The President is not certain that he understands precisely the meaning intended by Her Majesty's Government

to be conveyed by the foregoing instruction.

This doubt has occasioned with the President some hesitation, but he inclines to take it for granted that the main purpose of the instruction was to cause it to be signified to the Government of the U. States that the attack on the Steamboat "Caroline" was an act of public force, done by the British colonial authorities, and fully recognized by the Queen's Government at home, and that consequently no individual concerned in that transaction can, according to the just principle of the laws of nations, be held personally answerable in the ordinary courts of law as for a private offence; and that upon this avowal of Her Majesty's Government, Alexander McLeod, now imprisoned on an indictment for murder seditious to have been committed in that attack, ought to be released by such proceedings as are usual and are suitable to the case.

The President adopts the conclusion that nothing more than this could have been intended to be expressed, from the consideration that Her Majesty's Government must be fully aware that in the United States, as in England, persons confined under judicial process can be released from that confinement only by judicial process. In neither country, as the undersigned supposes, can the arm of the Executive power interfere, directly or forcibly, to release or deliver the prisoner. His discharge must be sought in a manner conformable to the principles of law and the proceedings of courts of judicature. If an indictment, like that which has been found against Alex. McLeod, and under circumstances like those which belong to his case, were pending against an individual in one of the courts of England, there is no doubt that the law officer of the Crown might enter a *nolle prosequi*, or that the prisoner might cause himself to be brought up on *habeas corpus* and discharged, if his ground of discharge should be adjudged sufficient, or that he prove the same facts, and insist on the same defence or exemption on his trial.

All these are legal modes of proceeding, well known to the laws and practice of both countries. But the undersigned does not suppose that, if such a case was to arise in England, the power of the Executive Government could be exerted in any more direct manner. Even in the case of Ambassadors and other public Ministers, whose right to exemption from arrest is personal, requiring no fact to be ascertained but the mere fact of diplomatic character, and to arrest whom is sometimes made a highly penal offence, if the arrest be actually made, it must be discharged by application to the courts of law.

It is understood that Alexander McLeod is held as well on civil as on criminal process for acts alleged to have been done by him in the attack on the "Caroline," and his defence or ground of acquittal must be the same in both cases. And this strongly illustrates, as the undersigned conceives, the propriety of the foregoing observations; since it is quite clear that the Executive Government cannot interfere to arrest a civil suit between private parties in any stage of its progress, but that suit must go to its regular judicial termination: If, therefore, any course different from such as have been now mentioned was in contemplation of Her Majesty's Government, something would seem to have been expected from the Government of the United States as little conformable to the laws and usages of the English Government as to those of the United States, and to which this Government cannot accede.

The Government of the United States, therefore, acting upon the presumption which it already adopted, that nothing extraordinary or unusual was expected or requested of it, decided, on the reception of Mr. Fox's note, to take such measures as the occasion and its own duty appeared to require.

In his note to Mr. Fox of the 26th of December last, Mr. Forsyth, the Secretary of State of the United States, observes, that "if the destruction of the 'Caroline' was a public act of persons in her Majesty's service, obeying the order of their superior authorities, this fact has not been before communicated to the Government of the United States by a person authorized to make the admission; and it will be for the court which has taken cognizance of the offence with which Mr. McLeod is charged to decide upon its validity when legally established before it;" and adds, "The President deems this to be a proper occasion to remind the government of Her Britannic Majesty that the case of the 'Caroline' has been long since brought to the attention of Her Majesty's principal Secretary of State for Foreign Affairs, who, up to this day, has not communicated its decision thereupon. It is hoped that the Government of Her Majesty will perceive the importance of no longer leaving the Government of the United States uninformed of its views and intentions upon a subject which has naturally produced much exasperation, and which has led to such grave consequences."

The communication of the fact that the destruction of the "Caroline" was an act of public force by the British authorities being formally communicated to the Go-

vernment of the United States by Mr. Fox's note, the case assumes a decided aspect.

The government of the United States entertains no doubt that, after this avowal of the transaction as a public transaction, authorized and undertaken by the British authorities, individuals concerned in it ought not, by the principles of public law and the general usage of civilized States, to be held personally responsible in the ordinary tribunals of law for their participation in it. And the President presumes that it can hardly be necessary to say that the American People, not distrustful of their ability to redress public wrongs by public means, cannot desire the punishment of individuals when the act complained of is declared to have been an act of the Government itself.

Soon after the date of Mr. Fox's note, an instruction was given to the Attorney General of the United States from this Department, by direction of the President, which fully sets forth the opinions of this Government on the subject of Mr. McLeod's imprisonment, a copy of which instruction the undersigned has the honor here with to enclose.

The indictment against McLeod is pending in a State court; but his rights, whatever they may be, are no less safe, it is to be presumed, than if he were held to answer in one of the courts of this Government.

He demands immunity from personal responsibility by virtue of the law of nations, and that law, in civilized States, is to be respected in all courts. None is either so high or so low as to escape from its authority in cases to which its rules and principles apply.

This Department has been regularly informed, by his excellency the Governor of the State of New York, that the Chief Justice of that State was assigned to preside at the hearing and trial of McLeod's case, but that, owing to some error or mistake in the process of summoning the jury, the hearing was necessarily deferred.

The President regrets this occurrence, as he has a desire for a speedy disposition of the subject. The counsel for McLeod have requested authentic evidence of the avowal by the British Government of the attack on, and destruction of, the "Caroline," as sets done under its authority, and such evidence will be furnished to them by this Department.

It is understood that the indictment has been removed into the Supreme Court of the State by the proper proceeding for that purpose, and that it is now competent for McLeod, by the ordinary process of *habeas corpus*, to bring his case for hearing before that tribunal.

The undersigned hardly needs to assure Mr. Fox that a tribunal so eminently distinguished for ability and learning as the Supreme Court of the State of New York may be safely relied upon for the just and impartial administration of the law in this as well as in other cases; and the undersigned repeats the expression of the desire of this Government that no delay may be suffered to take place in these proceedings which can be avoided. Of this desire, Mr. Fox will see evidence in the instructions above referred to.

The undersigned has now to signify to Mr. Fox that the Government of the United States has not changed the opinion which it has heretofore expressed to Her Majesty's Government of the character of the act of destroyed the "Caroline."

It does not think that the transaction can be justified by any reasonable application or construction of the right of self defence, under the laws of nations. It is admitted that a just right of self defence attaches always to nations, as well as to individuals, and is equally necessary for the preservation of both. But the extent of this right is a question to be judged of by the circumstances of each particular case; and when its alleged exercise has led to the commission of hostile acts within the territory of a Power at peace, nothing less than a clear and absolute necessity can afford ground of justification. Not having, up to this time, been made acquainted with the views and reasons, at length, which have led Her Majesty's Government to think the destruction of the "Caroline" justifiable as an act of self defence, the undersigned, earnestly renewing the remonstrance of this Government against the transaction, abstains, for the present, from any extended discussion of the question. But it is deemed proper, nevertheless, not to omit to take some notice of the general grounds of justification stated by Her Majesty's Government in their instruction to Mr. Fox.

Her Majesty's Government have instructed Mr. Fox to say that they are of opinion that the transaction which terminated in the destruction of the Caroline was a justifiable employment of force, for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates, who, having been "permitted" to arm and organize themselves within the territory of the United States, had actually invaded a portion of the territory of Her Majesty.

The President cannot suppose that Her Majesty's Government, by the use of these terms, meant to be understood as

intimating that those acts, violating the laws of the United States, and disturbing the peace of the British territories, were done under any degree of countenance from this Government, or were regarded by it with indifference; or that, under the circumstances of the case, they could have been prevented by the ordinary course of proceeding. Although he regrets that, by using the term "permitted," a possible inference of that kind might be raised, yet such an inference, the President is willing to believe, would be quite unjust to the intentions of the British Government.

That on a line of frontier such as separates the United States from Her Britannic Majesty's North American Possessions—a line long enough to divide the whole of Europe into halves—irregularities, violence, and conflicts should sometimes occur, equally against the will of both Governments, is certainly easily to be supposed. This may be more possible, perhaps, in regard to the United States, without any reproach to their Government, since their institutions entirely discourage the keeping up of large standing armies in time of peace, and their situation happily exempts them from the necessity of maintaining such expensive and dangerous establishments. All that can be expected from either Government in these cases is good faith, a sincere desire to preserve peace and do justice, the use of all proper means of prevention, and that, if offences cannot, nevertheless, be always prevented, the offenders shall still be justly punished. In all these respects, this Government acknowledges no delinquency in the performance of its duties.

Her Majesty's Government are pleased, also, to speak of those American citizens who took part with persons in Canada, engaged in an insurrection against the British Government, as "American pirates." The undersigned does not admit the propriety or justice of this designation. If citizens of the United States fitted out, or were engaged in fitting out, a military expedition from the United States intended to act against the British Government in Canada, they were clearly violating the laws of their country, and exposing themselves to the just consequences which might be inflicted on them if taken within the British dominions. But, notwithstanding this, they were, certainly, not pirates, nor does the undersigned think that it can advance the purpose of fair and friendly discussion, or hasten the accommodation of national difficulties, so to denigrate them. Their offence, whatever it was, had no analogy to cases of piracy. Supposing all that is alleged against them to be true, they were taking a part in what they regarded as a civil war, and they were taking a part on the side of the rebels. Surely, England herself has not regarded persons thus engaged as deserving the appellation which Her Majesty's Government bestows on these citizens of the United States.

It is quite notorious that, for the great part of the last two centuries, subjects of the British Crown have been permitted to engage in foreign wars, both national and civil; and in the latter, in every stage of their progress; and yet it has not been imagined that England has at any time allowed her subjects to turn pirates. Indeed, in our own times, not only have individual subjects of that Crown gone abroad to engage in civil wars, but we have seen whole regiments openly recruited, embodied, armed, and disciplined in England, with the avowed purpose of aiding a rebellion against a nation with which England was at peace; although it is true that, subsequently, an act of Parliament was passed to prevent transactions so nearly approaching to public war, without license from the Crown.

It may be said that there is a difference between the case of a civil war, arising from a disputed succession, or a protracted revolt of a colony against the mother country, and the case of a fresh outbreak, at the commencement of a rebellion. The undersigned does not deny that such distinction may, for certain purposes, be deemed well founded. He admits that a Government, called upon to consider its own rights, interests, and duties, when civil wars break out in other countries, may decide on all the circumstances of the particular case, upon its own existing stipulations, on probable results, on what its own security requires, and on many other considerations. It may be already bound to assist one party, or it may become bound, if it so chooses, to assist the other, and to meet the consequences of such assistance.

But whether the revolt be recent or long continued, they who join those concerned in it, whatever may be their offence against their own country, or however they be treated, if taken with arms in their hands, in the territory of the Government against which the standard of revolt is raised, cannot be denominated pirates, without departing from all ordinary use of language in the definition of offences. A cause which has so foul an origin as piracy cannot, in its progress, or by its success, obtain a claim to any degree of respectability, or tolerance, among nations; and civil wars, therefore,

are not understood to have such a commencement.

It is well known to Mr. Fox that authorities of the highest eminence in England, living and dead, have maintained that the general law of nations does not forbid the citizens or subjects of one Government from taking part in the civil commotions of another. There is some reason, indeed, to think that such may be the opinion of Her Majesty's Government at the present moment.

The undersigned has made these remarks, from the conviction that it is important to regard established distinctions, and to view the acts and offences of individuals in the exactly proper light. But it is not to be inferred that there is, on the part of this Government, any purpose of extending, in the slightest degree, the crimes of those persons, citizens of the United States, who have joined in military expeditions against the British Government in Canada. On the contrary, the President directs the undersigned to say that it is his fixed resolution that all such disturbers of the national peace and violators of the laws of their country shall be brought to exemplary punishment. Nor will the fact that they are re-animated and led on to these excesses by British subjects, refugees from the Provinces, be deemed any excuse or palliation; although it is well worthy of being remembered that the prime movers of these disturbances on the borders are subjects of the Queen, who come within the territories of the United States, seeking to enlist the sympathies of their citizens, by all the motives which they are able to address to them, on account of grievances, real or imaginary. There is no reason to believe that the design of any hostile movement from the United States against Canada has commenced with citizens of the United States. The true origin of such purposes and such enterprises is on the other side of the line. But the President's resolution to prevent these transgressions of the laws is not, on that account, the less strong. It is taken, not only in conformity to his duty under the provisions of existing laws, but in full consonance with the established principles and practice of this Government.

The Government of the United States has not, from the first, fallen into the double, elsewhere entertained, of the true extent of the duties of neutrality. It has held that, however it may have been in less enlightened ages, the just interpretation of the modern law of nations is, that neutral States are bound to be strictly neutral; and that it is a manifest and gross violation of that law, and of the duties of neutrality, for a neutral State, while the war exists, to take part in it, while the war exists, at peace. War and peace are high national relations, which can properly be established or changed only by nations themselves.

The United States have thought also, that the salutary doctrine of non-interference by one nation with the affairs of others is liable to be essentially impaired, if, while Government refrains from interference, interference is still allowed to its subjects, individually or in masses. It may happen, indeed, that persons choose to leave their country, emigrate to other regions, and settle themselves on uncultivated lands, in territories belonging to other States. This cannot be prevented by Governments which allow the emigration of their subjects and citizens; and such persons having voluntarily abandoned their own country, have no longer claim to its protection, nor is it longer responsible for their acts. Such cases, therefore, if they occur, show no abandonment of the duty of neutrality.

The Government of the United States has not considered it as sufficient to confine the duties of neutrality and non-interference to the case of Governments whose territories lie adjacent to each other. The application of the principle may be more necessary in such cases, but the principle itself they regard as being the same, if those territories be divided by half the globe. The rule is founded in the propriety and danger of allowing individuals to make war on their own authority, or by mingling themselves in the belligerent operations of other nations, to run the hazard of counteracting the policy, or embroiling the relations, of their own government. And the United States have been the first among civilized nations to enforce the observance of this just rule of neutrality and peace, by special and adequate legal enactments. In the infancy of this Government, on the breaking out of the European wars which had their origin in the French Revolution, Congress passed laws with severe penalties, for permitting the citizens of the United States from taking part in those hostilities.

By these laws, it is prescribed to the citizens of the U. States what it understood to be their duty, as neutrals, by the law of nations, and the duty, also, which they owed to the interest and honor of their own country.

At a subsequent period, when the American colonies of an European Power took up arms against their sovereign, Congress, not diverted from the established system of the Government by any temporary considerations, not swayed from any sense of justice and of duty by any sympathies which it might naturally feel for one of the

gories, did not hesitate, also, to pass acts applicable to the case of colonial insurrection and civil war. And these provisions of law have been continued, revised, amended, and are full force at the present moment. Nor have they been a dead letter, as it is well known that exemplary punishments have been inflicted on those who have transgressed them. It is known, indeed, that heavy penalties have fallen on individuals, citizens of the United States, engaged in this very disturbance in Canada, with which the destruction of the Caroline was connected. And it is in Mr. Fox's knowledge, also, that the act of Congress of March 10th, 1838, was passed for the precise purpose of more effectually restraining military enterprises from the United States into the British Provinces, by authorizing the use of the most sure and decisive preventive means. The undersigned may add, that it stands on the admission of very high British authority, that during the recent Canadian troubles, although bodies of adventurers appeared on the border, making it necessary for the People of Canada to keep themselves in a state prepared for self-defence, yet that these adventures were acting by no means in accordance with the feeling of the great mass of the American People, or of the Government of the United States.

This Government, therefore, not only holds itself above reproach in every thing respecting the preservation of neutrality, the observance of the principle of non-intervention, and the strictest conformity, in these respects, to the rules of international law, but it doubts not that the world will do it the justice to acknowledge that it has set an example not unfit to be followed by others, and that, by its steady legislation on this most important subject, it has done something to promote peace and good neighborhood among nations, and to advance the civilization of mankind.

The undersigned trusts that, when Her Britannic Majesty's Government shall present the grounds, at length, on which they justify the local authorities of Canada in attacking and destroying the "Caroline," they will consider that the laws of the United States are as the undersigned has now represented them, and that the Government of the United States has always manifested a sincere disposition to see those laws effectually and impartially administered. If there have been cases in which individuals, justly obnoxious to punishment, have escaped, this is no more than happens in regard to other laws.

Under these circumstances, and under those immediately connected with the transaction itself, it will be for Her Majesty's Government to show upon what state of facts and what rules of national law the destruction of the "Caroline" is to be defended. It will be for that Government to show a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment for deliberation. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, did nothing unreasonable or excessive; since the act, justified by the necessity of self-defence, must be limited by that necessity, and kept clearly within it. It must be shown that admonition or remonstrance to the persons on board the "Caroline" was impracticable, or would have been unavailing; it must be shown that day-light could not be waited for; that there could be no attempt at discrimination between the innocent and the guilty; that it would not have been enough to seize and detain the vessel; but that there was a necessity, present and inevitable, for attacking her, in the darkness of the night, while moored to the shore, and while unarmed men were asleep on board, killing some and wounding others, and then drawing her into the current, above the cataract, setting her on fire, and, careless so long whether there might not be in her the innocent with the guilty, or the living with the dead, committing her to a fate which fills the imagination with horror. A necessity for all this the Government of the United States cannot believe to have existed.

All will see that if such things be allowed to occur, they might lead to bloody and exaggerated war; and when an individual comes into the United States from Canada, and to the very place on which this drama was performed, and there chooses to make public and vain glories boast of the part he acted in it, it is hardly wonderful that great excitement should be created, and some degree of commotion arise.

The Republic does not wish to disturb the tranquility of the world. Its object is peace, its policy peace. It seeks no aggrandizement by foreign conquest, because it knows that no foreign acquisition could augment its power and importance so rapidly as they are already advancing by its own natural growth under the propitious circumstances of its situation. But it cannot admit that its Government has not both the will and the power to preserve its own neutrality, and to enforce the observance of its own laws upon its own citizens. It is jealous of its rights, and among others, and most especially, of the right of the absolute immunity of its territory against aggression from abroad; and these rights it is the duty and the determination of this Government fully and at all times to maintain; while it will, at the same time, so scrupulously refrain from infringing on the rights of others.

President instructs the undersigned to say, in conclusion, that he confidently expects that this and all other questions of difference between the two Governments will be treated by both in the full exer-

cise of such a spirit of candor, justice, and mutual respect as shall give assurance of the long continuance of peace between the two countries.

The undersigned avails himself of this opportunity to assure Mr. Fox of his high consideration.

DANIEL WEBSTER.
HENRY S. FOX, Esq. &c. &c. &c.

Copy of Instructions to Mr. Crittenden, enclosed in the above.

Department of State,
Washington, March 15, 1841.

Sir: Alexander McLeod, a Canadian subject of Her Britannic Majesty, is now imprisoned at Lockport, in the state of New York, under an indictment for murder, alleged to have been committed by him in the attack on and destruction of the steamboat Caroline at Schlosser, in that state, on the night of the 29th of December, 1837; and his trial is expected to take place at Lockport on the 22d instant.

You are apprized of the correspondence which took place between Mr. Forsyth, late Secretary of State, and Mr. Fox, Her Britannic Majesty's Minister here, on this subject, in December last.

In his note to Mr. Fox of the 26th of that month, Mr. Forsyth says: "If the destruction of the Caroline was a public act of persons in Her Majesty's service, obeying the order of their superior authorities, this fact has not been before communicated to the Government of the United States by a person authorized to make the admission, and it will be for the Court which has taken cognizance of the offence with which McLeod is charged to decide upon its validity when legally established before it."

"The President deems this to be a proper occasion to remind the Government of Her Britannic Majesty that the case of the Caroline has been long since brought to the attention of Her Majesty's principal Secretary of State for Foreign Affairs, who, up to this day, has not communicated its decision thereupon. It is hoped that the Government of Her Majesty will perceive the importance of no longer leaving the Government of the United States uninformed of its views and intentions upon a subject which has naturally produced much exasperation, and which has led to such grave consequences."

I have now to inform you that Mr. Fox has addressed a note to this Department, under date of the 12th instant, in which, under the immediate instruction and direction of his Government, he demands, formally and officially, McLeod's immediate release, on the ground that the transaction, on account of which he has been arrested and is to be put upon his trial, was of a public character, planned and executed by the persons duly empowered by Her Majesty's colonial authorities to take any steps, and do any acts, which might be necessary for the defence of Her Majesty's territories, and for the protection of Her Majesty's subjects; and that consequently those subjects of Her Majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country; and that Her Majesty's Government has further directed Mr. Fox to make known to the Government of the United States that Her Majesty's Government entirely approve of the course pursued by Mr. Fox, and the language adopted by him in the correspondence above mentioned.

There is, therefore, now, an authentic declaration on the part of the British Government that the attack on the Caroline was an act of public force, done by military men, under the orders of their superiors, and is recognised as such by the Queen's Government. The importance of this declaration is not to be doubted, and the President is of opinion that it calls upon him for the performance of a high duty. That an individual forming part of a public force, and acting under the authority of his Government, is not to be held answerable, as a private trespasser or malefactor, is a principle of public law, sanctioned by the usages of all civilized nations, and which the Government of the United States has no inclination to dispute. This has no connexion whatever with the question whether, in this case, the attack on the "Caroline" was, as the British Government think it, a justifiable employment of force for the purpose of defending the British territory from unprovoked attack, or whether it was a most unjustifiable invasion in time of peace of the territory of the United States, as this Government has regarded it. The two questions are essentially different; and, while acknowledging that an individual may claim immunity from the consequences of acts done by him, by showing that he acted under national authority, this Government is not to be understood as changing the opinions which it has heretofore expressed in regard to the real nature of the transaction which resulted in the destruction of the Caroline. That subject it is not necessary, for any purpose connected with this communication, to discuss. The views of this Government in relation to it are known to that of England; and we are expecting the answer of that Government to the communication which has been made to it.

All that is intended to be said, at present, is, that since the attack on the Caroline is avowed as a national act which may justify reprisals, or even general war, if the Government of the United States, in the judgment which it shall form of the transaction, and of its own duty, should see fit so to decide, yet that it raises a question entirely public and political, a question between independent nations, and that individuals concerned in it cannot be arrested and tried before the ordinary tribunals, as for the violation of municipal law. If the attack on the Caroline was unjustifiable, as this Government has asserted, the law which has been violated is the law of nations, and the redress authorized in such cases by the provisions of that code.

You are well aware that the President has no power to arrest the proceeding in the civil and criminal courts of the state of New York. If this indictment were pending in one of the courts of the United States, I am directed to say that the President, upon the receipt of Mr. Fox's last communication, would have immediately directed a *nolle prosequi* to be entered.

Whether, in this case, the Governor of New York have that power, or, if he have, whether he would feel it his duty to exercise it, are points upon which we are not informed.

It is understood that McLeod is held also on civil process, sued out against him by the owner of the Caroline. We suppose it very clear that the Executive of the State cannot interfere with such process; and, indeed, if such process were pending in the courts of the United States, the President could not arrest it. In such and many analogous cases the party prosecuted or sued must avail himself of his exemption or defence by judicial proceedings, either in the court into which he is called, or in some other court. But whether the process be criminal or civil, the fact of having acted under public authority, and in obedience to the orders of lawful superiors, must be regarded as a valid defence, otherwise individuals would be held responsible for injuries resulting from the acts of Government, and even from the operations of public war.

You will be furnished with a copy of this instruction for the use of the Executive of New York and the Attorney General of that state. You will carry with you, also, authentic evidence of the recognition by the British Government of the destruction of the Caroline as an act of public force done by national authority.

The President is impressed with the propriety of transferring the trial from the scene of the principal excitement to some other and distant county. You will take care that this be suggested to the prisoner's counsel. The President is gratified to learn that the Governor of New York has already directed that the trial take place before the Chief Justice of the State.

Having consulted with the Governor, you will proceed to Lockport, or wherever else the trial may be held, and furnish the prisoner's counsel with the evidence of which you will be in possession material to his defence. You will see that he have skillful and eminent counsel, if such be not already retained; and, although you are not desired to act as counsel yourself, you will cause it to be signified to him, and to the gentleman who may conduct his defence, that it is the wish of this Government that, in case his defence be overruled by the court in which he shall be tried, proper steps be taken immediately for removing the cause, by writ of error, to the Supreme Court of the United States.

The President hopes you will use such despatch as to make your arrival at the place of trial sure before the trial comes on; and the trusts you will keep him informed of whatever occurs by means of a correspondence through this Department.

I have the honor to be, Mr. Attorney General, your obedient servant.

DANIEL WEBSTER.
Hon. JOHN J. CRITTENDEN,
Attorney General of the U. States.

Correspondence of the National Intelligencer.

New York, June 10, 1841.

A third Commissioner, appointed by the Executive, joined Messrs. Pajoudestre and Kelley, the two already here, this morning. Mr. Stuart, of Maryland, is the third man, and reports speaks most favorably of him. The addition to the Board is proof enough that the labors of the Commission are not yet ended. I might say, perhaps, that they have but begun. The Opposition have become suddenly alarmed at the official investigation of past abuses, and the bad example of President Jackson in the well-remembered investigation before a committee of Congress, denying the right to investigate, and discommending it by letter and otherwise, has left its ill result behind. The Globe, from the first, has opposed all investigations under the new Administration, although approving all under the preceding Administrations. The Standard this morning takes a bolder step, and seeks to destroy the commission by denying the power to summon witnesses. The wish and effect, of course, is to keep back important testimony, which might tend further to convict the high handed offenders, who have employed their places to abuse and cheat the Government. Such signals, thrown out to resist the good intentions of the head of the Government in a measure every way praiseworthy, will not do much harm. The few only are for smothering up or preventing investigation, and those few only render themselves the more mischievous by such efforts at concealment.

A memorial in behalf of a National Bank will be sent to Washington in a day or two. Fifteen thousand voters have already signed it, including four fifths of the active business men of the city.

The side of the city is generally dull. Cotton is in demand, but not at any improved prices.

Singular Fancy.—Garrison, the Abolitionist, in his remarks at the anniversary of the American Anti-Slavery Society, said he felt proud of the detestation in which he knew he was held from one side of the land to the other. Garrison's taste is very peculiar. Phil. N. Amer.

Twenty-seventh Congress.
EXTRA SESSION.
IN SENATE.
Monday, June 7.

Mr. Clay presented a memorial from citizens of Cherokee county, Georgia, praying the abolishment of the branch mint in Dahlonega, in that state. Mr. C. observed, that the petitioners were not influenced by any considerations other than those to reduce all useless and unnecessary expenditures; and they had petitioned for the removal of the branch when its location was such as to be presumed to make its continuance favorable to their interests. He concurred most heartily in the expression of a sentiment in the latter part of the memorial, which expressed the wish that the expenses of the government might be reduced from forty or fifty millions to twelve or fifteen, and that all useless expenditures might be lopped off. It was a source of regret to him that the memorial did not come within that class of business on which it was proposed to act at the present session, and he expressed a hope that it might be acted on early at the next regular meeting of Congress. He would only move, therefore, that it lay on the table; which was agreed to.

Mr. Tallmadge presented a petition from citizens of Buffalo, and two petitions from citizens of the city of New York, for a general bankrupt law; which were referred to the committee on the judiciary. Also a memorial from the Chamber of Commerce of the city of New York, in favor of a national bank; which was referred to the select committee on that subject.

Mr. Clay presented a resolution, founded upon some suggestions contained in the report of the Secretary of the Treasury, which after some debate, was modified at the suggestion of Mr. Rives, and adopted *nem. con.* as follows:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate with as little delay as practicable, the plan of such a bank or fiscal agent as, being free from constitutional objection, will, in his opinion, produce the happiest results and confer lasting and important benefits on the country.

Mr. Bayard, from the select committee appointed to consider and report by what token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the nation to the decease of their late President, made the following report:

The melancholy event of the death of WILLIAM HENRY HARRISON, late President of the United States, having occurred during the recess of Congress, and the two houses sharing in the general grief, and desiring to manifest their sensibilities upon the occasion of that public bereavement, therefore—

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the chairs of the President of the Senate and Speaker of the House of Representatives be shrouded in black during the residue of the session; and that the President pro tempore of the Senate, the Speaker of the House of Representatives, and the members and officers of both houses, wear the usual badge of mourning for thirty days.

Resolved, That the President of the United States be requested to transmit a copy of these resolutions to Mrs. Harrison, and to assure her of the profound respect of the two houses of Congress for her person and character, and of the sincere condolence of the late afflictive dispensation of Providence.

Mr. Clay offered resolutions prescribing the following as subjects which ought first, if not exclusively, to engage the deliberation of Congress at the present session—

- 1st. The repeal of the sub-treasury.
- 2d. The incorporation of a bank adapted to the wants of the people and the government.
- 3d. The provision of an adequate revenue for the government by the imposition of duties, and including an authority to contract a temporary loan to cover the public debt created by the last administration.
- 4th. The prospective distribution of the proceeds of the public lands.
- 5th. The passage of necessary appropriation bills; and
- 6th. Some modification of the banking system of the District of Columbia for the benefit of the people of the District.

Mr. Woodbury remarked, that in the item on the list contained in the resolution, the senator from Kentucky employed the words "public debt created by the past administration." He would take the liberty of suggesting to the honorable mover the propriety of saying "the past and present administrations;" for the present Secretary of the Treasury had proposed the contracting of a loan of six millions.

Mr. Clay said he would not enter into discussion with the honorable ex-Secretary on this matter. He desired that this should be a session more marked by action than by discussion: he felt, he confessed, more favorable to a *MONOSYLLABIC* mode of debating than ever he had been in his life. Whatever might have been recommended by the Secretary in his report in reference to a reserved fund, that recommendation had not yet received the sanction of Congress; but he should not enter into any discussion about it, but would simply move that the resolution be laid upon the table and be printed; which was ordered.

The Senate then proceeded to ballot for the election of officers; whereupon Mr. Agnew, Secretary of the Senate, Mr. Edward Dyer, Sergeant-at-arms and Doorkeeper, and Mr. Robert Beale, Assistant Doorkeeper, were re-elected almost unanimously.

The bill for the repeal of the sub-treasury was taken up as the order of the day; and read a second time, when Mr. Clay arose and made some observations in explanation of the provisions of the bill, and on the consequences which would result from its passage into a law, and proposed an amendment to obviate such difficulties as might be apprehended.

A discussion of some length followed, in which Mr. Calhoun, Mr. Clay, Mr. Benton, Mr. Rives, Mr. Mangum, Mr. Barrow and Mr. Preston took part.

In the course of his remarks, Mr. Rives disclaimed having any scheme of his own to advocate, and said he would not seek to detain the Senate in the half-way house of the state banks, far less in such a bawdy-house as the bank in Philadelphia. He now waited for the nation to build up a scheme of its own. Mr. Clay acted on a lofty spirit of compromise now, as on many former and illustrious occasions, in asking for the plan of the Secretary of the Treasury: he was very sure that gentleman was acting for his country's good and not for party or personal ascendancy. As to the senator from South Carolina, he had himself denounced the state bank system as a "miserable rickety system of puny legislation;" if the judgment of the nation was against it, let it go down. Mr. R. would not plead in its favor; but for one he did not believe the judgment of the nation had condemned, as yet, either of the substitutes for a sub-treasury. That it had most clearly condemned.

Tuesday, June 8.

Mr. Tallmadge presented resolutions from the General Assembly of New York, in favor of an equal distribution of the proceeds of the public lands.

The joint resolutions upon the death of Gen. Harrison were read a third time and passed.

The bill to repeal the sub-treasury was taken up as the order of the day: the question being on an amendment moved by Mr. Calhoun, to an amendment offered by Mr. Clay, repealing or modifying the deposit act of 1836.

Mr. Berrien, of Geo. addressed the Senate. He was not satisfied with the position in which the question would be placed by the adoption of either of the amendments. The repeal of the act of 1836 would place the public money too much under the discretionary control of an executive officer. After the repeal of the sub-treasury, should Congress fail to adopt any substitute, then the Senate could not proceed to modify the law of 1836, as the changed circumstance of the country should seem to require. Mr. B. said he came here instructed by a large majority of the people of his district to put as speedy an end to the sub-treasury law as might be consistent with just legislation, and then to lend his aid in providing a substitute for it. By what name this substitute should be called was to him a thing perfectly indifferent, provided it would perform the duty of an efficient fiscal agent, by furnishing a safe depository for the public money, facilitating the transfer of the funds of Government, and last, not least, by exerting a renovating influence on the currency of the country. The duty thus required by his constituents Mr. B. was ready to discharge whenever the opportunity should be submitted to the Senate.

Mr. Walker, of Mississippi, also addressed the Senate. He was opposed to the repeal of the sub-treasury. But he had no doubt it would be repealed, and the question would then present itself, what substitute should be provided. The very last he was willing to adopt was the State Bank system. To this he was utterly opposed, and always had been. He had opposed it in 1833, and it was the only measure of Gen. Jackson's administration up to that time from which he had dissented. He believed it to be the worst system that ever had been devised—the most corrupting system that the wit of man could invent. It caused the banks to crouch like menials at the foot of the Executive, and it placed in the hands of the Executive a more dangerous power than human wisdom, or rather than human folly, ever before contrived. What was the opinion of the people of Mississippi with regard to a Bank of the United States might be doubtful—but of this there could be no doubt, that both parties in that state were utterly opposed to the employment of State Banks as depositories for the public money. An overwhelming majority of the people of the state held the pet bank system as the very last alternative within the limits of the constitution. There was no constitutional measure that they would not prefer to it. It had been their curse.

Mr. Benton and Mr. Calhoun also made a few remarks.

The question was then taken on Mr. Calhoun's amendment, and decided in the affirmative—yeas 25, nays 22.

The question then recurring on the amendment thus amended, it was rejected—yeas 19, nays 29.

Mr. Clay said that the effect of the last vote was, to leave the bill in the form in which it had been reported. If it should in this form pass both Houses of Congress, and become a law, the State Bank system, as regulated in 1836, would be revived and continue in force until a substitute should be adopted by Congress.

Mr. C. took it for granted that a substitute of some description would pass; but if, unfortunately, Congress should be unable to agree upon any substitute, whether in the form of a bank or other fiscal agent, then he presumed that Congress would set about discharging the duty of rendering the State Bank system as efficient and perfect as possible. After the gallant course pursued by the honorable Senator from Mississippi, (Mr. Walker), Mr. C. considered it as proper for him, also, to state that he would vote for

that system under no circumstances—none whatever—none. He had ever been opposed to the plan, and would not have given his vote for the law of 1836 on any other ground than that that law contained the principle of a distribution of the surplus fund among the states. No, if gentlemen on the other side choose to put themselves in command of such a miserable fleet, he did not care under what Commodore, Mr. C. and his friends were ready to meet them upon any sea, and he doubted not that the encounter would result in such a victory as Perry had achieved on one of our great lakes, or the brave McDonough on another.

Mr. Calhoun would say to the Senator from Kentucky, that he was fighting against an imaginary flag if he supposed that the gentlemen on that side of the house meant to contend for the State Bank system. No. They intended to go into battle under the noble flag of the sub-treasury.

Mr. Benton offered amendments, one of which was to continue in force the specific clause of the sub-treasury. The question being taken, they were rejected—yeas 20, nays 28.

Some slight amendments having been concurred in by the Senate, the bill was ordered to be engrossed by a vote of 30 to 16.

Wednesday, June 9.

Mr. Buchanan presented resolutions from the Legislature of Pennsylvania in favor of the repeal of the sub-treasury.

Mr. Morehead presented a petition from the Chamber of Commerce of Cincinnati asking the establishment of a national bank.

The bill for the repeal of the sub-treasury was read a third time, when Mr. Woodbury took the floor, and at considerable length addressed the Senate upon the general benefit of the Sub-Treasury Act, and upon his administration of the currency. He warmly defended the Sub-Treasury Bill, and did not wish to leave the currency under the control of the Executive, as it would be, if the repeal took place, and no special act was passed.

Mr. Calhoun yet believed that the course of the gentlemen on the other side was such as to leave the public money under the control of the Executive, and he reasoned against that at length.

Mr. Benton attempted the introduction of a resolution declaring the repeal of the Sub-Treasury inexpedient, which the Senate pronounced out of order; when Mr. Benton withdrew his motion, and proposed to recommit the bill with instructions, which was negative, yeas 18, nays 28.

Mr. Clay here demanded the question on the passage of the bill: but—

The debate was continued until near 7 o'clock by Messrs. Calhoun, Benton, Tallmadge, Wright, Young, and McRoberts—all of them speaking in opposition to the bill, except Mr. Tallmadge.

The question having been taken on the passage of the bill, it was decided in the affirmative as follows:

Yeas—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Keer, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith of Indiana, Southard, Tallmadge, White, Woodbridge—29.

Nays—Messrs. Allen, Benton, Calhoun, Clay of Alabama, Fulton, King, McRoberts, Nicholson, Pierce, Sevier, Smith of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—18.

Thursday, June 10.

Mr. Clay, on leave, introduced a bill making appropriation, for a limited time, of the proceeds of the public lands of the United States, and for granting lands to certain states.

Mr. Henderson, pursuant to notice given yesterday, introduced a bill establishing a uniform system of bankruptcy; which was read a second time, and referred to the committee on the judiciary.

Mr. Rives moved to refer so much of the President's message as relates to foreign affairs to the committee on foreign affairs.

On this motion Mr. Buchanan rose and addressed the Senate at some length.

Mr. Rives replied with earnestness and animation.

Friday, June 11.

Mr. Buchanan presented a memorial from the select committee of Common Councils of the city of Philadelphia, asking that the Delaware may be fortified, and a steam ship engaged to defend the same.

The resolution of Mr. Sevier, relative to the transfer of Gen. Arbuckle from Fort Gibson to Baton Rouge occupied the Senate for some time, and was then laid on the table—yeas 27, nays 17.

The motion of Mr. Rives for referring to the committee on foreign affairs so much of the President's message as relates to our foreign affairs now coming up as the unfinished business—

Mr. Choate, of Massachusetts, addressed the Senate at length in an argumentative speech in vindication of the course of the Secretary of State; and was followed by Mr. Calhoun, who spoke with earnestness on the other side.

Mr. Huntington then took the floor, and went into an argument on international law in support and defence of the legal positions taken by Mr. Webster in his correspondence with the British Minister, and in reply to the speech of Mr. Buchanan, who had assailed them.

And then, on motion of Mr. Preston, the Senate adjourned.

HOUSE OF REPRESENTATIVES.
Monday, June 7.

Nearly the whole day was spent in debate upon Mr. Wise's resolution relative

to the rules of order, and Mr. Adams's amendment, which was finally closed by means of the previous question.

Mr. Adams's amendment, excluding and rescinding the 21st rule (which related to the disposition of abolition petitions), was carried by a vote of 112 to 104.

Mr. Wise's resolution, thus amended, was adopted by a vote of 125 to 91.

A resolution was adopted, directing the several standing committees to be appointed by the speaker; and also directing the appointment of a select committee of nine members, to take into consideration the subject of the currency, and "the establishment of a suitable fiscal agency capable of adding increased facilities in the collection and disbursement of the public revenues, and rendering their custody more secure."

Tuesday, June 3.

The standing committees were announced by the speaker.

The select committee ordered yesterday on the subject of the currency, &c. were also announced as follows: Messrs. Sergeant, Adams, Pope, Wm. Cost Johnson, Wm. C. Dawson, Botts, McKay, McKean, and Rhet.

The house then proceeded to the election of its officers *vis a vis*. On the seventh trial Eleazar L. Townsend was elected sergeant-at-arms.

A joint resolution was received from the Senate on the subject of the honors to be paid to the memory of the late President of the United States, William Henry Harrison; which was concurred in unanimously.

Mr. Adams, from the same select committee of this house, appointed on the subject, reported a bill for the relief of Mrs. Harrison, widow of the late President of the United States; which was referred to the committee of the whole on the state of the Union, and ordered to be printed.

Wednesday, June 9.

Joseph Follansbee was elected door-keeper, John W. Hunter assistant door-keeper, and W. J. McCormick postmaster.

The House next proceeded to the election of chaplain, and the Rev. J. W. French (Episcopalian) was elected.

Some time was spent on questions of order growing out of Mr. Ingersoll's motion to reconsider the vote on the 21st rule.

Mr. Ingersoll then took the floor, and after several times called to order on the ground of irrelevancy, continued his speech until the house adjourned, without concluding.

Thursday, June 10.

On motion of Mr. Fillmore, the report of the Secretary of the Treasury, except such parts thereof as relate to the subject already submitted to a select committee, was referred to the committee of ways and means.

Mr. Holmes of S. C. on leave, presented a resolution passed by citizens of Charleston, S. C., recommending an appropriation to the amount of one year's salary for Gen. Harrison's family. Referred to the committee of the whole on the state of the Union, to which had been referred the bill upon that subject.

Mr. McKean, by unanimous consent, presented the memorial of the Chamber of Commerce of the city of New York in favor of a National Bank. Referred to the select committee on the currency.

The motion submitted by Mr. Ingersoll, to reconsider the vote by which the house had decided in favor of omitting the 21st rule of the last Congress, being again taken up for consideration, Mr. Ingersoll resumed his remarks, and continued to great length, notwithstanding he was frequently called to order on account of irrelevancy.

Mr. J. C. Clark of N. York, then moved the previous question, which he withdrew at the request of Mr. Marshall, upon his pledging himself to renew it.

Mr. Marshall then addressed the house at great length. He was in favor of the rule, but should vote against reconsideration. He should now vote for receiving petitions—all of them. And why? Because he did not wish the question agitated year after year, it might be for a century; but he wished it settled now, at once and for ever. Having concluded, he again moved the previous question; and the question being taken the house refused to reconsider—yeas 110, nays 116.

Friday, June 11.

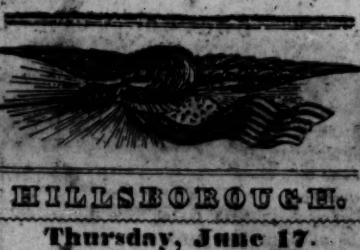
The unfinished business of yesterday was the motion to reconsider the final vote by which the house refused to adopt the 21st rule, (which excludes abolition petitions.)

Mr. Wise being entitled to the floor, was proceeding to address the house at great length; but was suddenly taken ill and fainted from exhaustion, and was led from the hall by several members who hastened to his assistance. The subject was consequently postponed till to-morrow.

The house then proceeded to the election of public printer, which resulted as follows:

Gales & Seaton, 134
Blair & Rives, 73
Peter Force, 6
So Messrs. Gales & Seaton were declared duly elected.

The St. Louis Tragedy.—Three of the murderers engaged in this extraordinary tragedy have been found guilty of murder in the first degree—viz: Madison was tried and convicted on the 24th ultimo; Charles Brown (the one taken at Cincinnati) tried and convicted on the 25th; and James Seward, alias Sewell, on the 26th. Ennis appeared as witness, though the confessions of each were sufficient to convict him.



Thursday, June 17.

Mr. Fox and Mr. Webster.—The correspondence in our paper to-day, between Mr. Fox and Mr. Webster on the McLeod controversy, will be read with great interest. The letter of the British Minister is written in good temper, and not inconsistent with an earnest desire on the part of that government to preserve amicable relations. But the letter of Mr. Webster excites universal approbation, and is pronounced to be one of the ablest state papers ever issued; it imparts a confidence to all who read it, that our foreign relations are safe in his hands.

The American Sentinel (a moderate opposition paper,) speaking of this letter of Mr. Webster's, says: "We are proud of this masterly correspondence of our Government. It is full of power, yet it is full of simplicity. It speaks the language of truth with a potency that commands it to every one. Our Government, in this great state paper, stands upon ground that is impregnable. It will be read with deep interest every where. It will manifest to the English at home and to all Europe, how ably this Government can sustain the rights of our people."

The N. Y. Journal of Commerce thus speaks of it: "It is surprising how quickly a few dashes of Mr. Webster's pen have cleared up all the mysteries involved in the case of Alex. McLeod. All now see that as the act for which he was indicted, has been assumed by the British government, there is no propriety in holding individuals responsible for it; but that we must seek for it, if at all, from the British government."

We have received from Messrs. Johnson & Smith, No. 6, George Street, Philadelphia, a Specimen Book, exhibiting the great variety of Printing Type and Ornaments cast at their Foundry. This is, we believe, the oldest establishment of the kind in the United States, and the enterprise and industry of the present proprietors have added greatly to the variety and beauty of the type; and the richness of the flowers and other ornaments, including a variety of cuts for almost all purposes, render it now equal, if not superior, to any other establishment of the kind. In addition to their splendid assortment of type, all other kinds of printing materials can be had at their establishment.

ABOLITION PETITIONS.

Messrs. John M. Botts and Alexander H. H. Stuart, members of Congress from Virginia, have each published letters to their constituents, explaining the reason of their voting for Mr. Adams's motion to rescind the 21st rule of the House; one of which (Mr. Botts's) we publish below. The course recommended by these gentlemen is the one which we have been in favor of from the outset. Let the petitions be received, referred and reported upon, and the probability is that this vexing question would be quieted for some years to come; certainly it would separate this subject from the right of petition, to which many of our best men are devotedly attached. These have long been the views of Mr. Clay, as expressed in a masterly speech which we some time since laid before our readers. If Mr. Clay's advice had then been adopted, a great deal of discussion, bad feeling and expense would doubtless have been saved. At any rate we consider this experiment worth trying.

A CARD TO MY CONSTITUENTS.

Impelled by a deep conviction of constitutional obligation to separate from my Southern friends on the question of rescinding the 21st Rule of the House, and declining to assign my reasons in Congress, because I deprecated all discussion on that subject at this extraordinary session of Congress, convened for the purpose of relieving the Government and the country of their financial embarrassments, and because I was unwilling to avail myself of a privilege I was not disposed to extend to others, I feel that it may be due to those who feel an interest in my legislative action here briefly to assign the reasons that prompted me to vote in the affirmative.

In the first place, I hold the right of petition to be absolute, unlimited, and uncontrollable, (for, if a line is to be drawn, you will hardly find any two that would draw it at the same point.) a right guaranteed to the humblest citizen in the community, and that it necessarily carries with it the obligation to consider; and upon its consideration two questions arise: 1st. Have you the power to grant the prayer? and, 2dly, If you have the power,

have you the disposition? And my answer to these particular petitions would be, that I have not the power, and if I had, I have not the disposition. My friends deny the right to receive the petitions, because, they say, we have no constitutional right to grant the prayer. If this doctrine be correct, upon what principle of propriety can those who deny the constitutional power of Congress to establish a bank or a protective tariff consent to receive petitions on either of those subjects? The unavoidable interruption that would ensue to the harmony of the Union from the admission of such a principle in government need not be exposed.

But, apart from the constitutional question, the most profound reflection that I am capable of giving to this question, has not only strengthened but riveted my former impressions upon my mind that the course of wisdom and of true policy to the South is to disconnect the question of the right of petition from that of abolition, and to dissipate the delusion that prevails at each extremity of the country, by ascertaining the exact strength of the abolitionists in Congress, and thereby settling the question at once and forever. Moreover, I am not disposed to indulge in timidity and apprehension at the body of a dead monster, that can only be reanimated by an injudicious course of policy by its own enemies. If left to themselves, the abolitionists are irretrievably dead.

I was satisfied before I came to Congress that we occupied a false position on this question, which was rendered more untenable at the last session by the adoption of the 21st Rule; and, while I was willing to surrender a great deal of the judgment of those whose interests are identified with my own, I could not consent to yield the deep, deliberate, and conscientious convictions of my own judgment, with a full view of the mischief that I thought would necessarily result from incorporating that with the other rules of the House.

Next winter, if it is thought desirable, I shall be prepared to go fully into this subject with those who differ with me, but at this time I was neither disposed to embark in the discussion myself nor indulge it in others.

Most respectfully,
JOHN M. BOTTS.
June 8, 1841.

It is stated in one of the Philadelphia papers, that the President, Directors and Company of the Bank of the United States have entered a suit against Nicholas Bidle, esq. late President of that institution.

The articles noticed below by the Wilmington Chronicle, attracted our attention on their first appearance, but we were at a loss in what terms to speak of them. Such wanton attacks upon the dead; such impious sneers, almost amounting to blasphemy, will meet the unqualified disapprobation of every one who possesses the feelings of a man. Those who, by such vile attacks upon the memory of Charles Ogle, expect to do away the effect of his able speech, have very much mistaken the character of the American people. Their sympathy for the dead will enable them to overcome their prejudices, when they will do justice to his memory. They will then be able to see, that instead of being an "omnibus of lies," every item in his speech was sustained by official vouchers.

For the purpose of letting that portion of our readers who are not in the habit of meeting with Loco Foco newspapers see what kind of articles sometimes appear in them, we re-publish the two following, taken from opposition presses of this state. We are mortified to know that such had their origin in the state. A savage, no, not a savage, but a brutal yell over the grave of the dead! An impious sneer, that none but a fool could utter, on the President of the United States, for recommending the regarding of religious observances in view of the heavy judgment of Heaven, just visited upon the land. Certainly, the writers of these articles possess, within their own little sphere, the same kind of inverted ambition belonging to Garrison, the abolitionist, who declared on a late public occasion that he was truly glad to be the object of scorn. *Wilmington Chron.*

From the Fayetteville North Carolinian of May 23.

"Charles Ogle, whose 'omnibus of lies' published in the Observer every body recollects, and which, Whigs themselves acknowledge (some of them we mean) were lies, but helped the election of Harrison more than any other humbug that was got up by the Tippecanoe boys—IS DEAD. He has gone, no doubt, to pay the forfeit of his perjury. He has followed his General, in whose cause he manifested such dishonest zeal, while Martin Van Buren, the victim of his scorpion sting, lives to see the downfall of his enemies, and to show the world the triumph of virtue over vice."

All golden goods are never enjoyed by the possessors; so it proves with the Whigs. Gen Harrison was elevated by trickery, humbuggery, and falsehood—means too foul to ensure enjoyment—and Ogle, who strove so hard in his cause, has been called off, (if we may judge from what little we know of him) by delirium tremens or something akin, to answer, no doubt, a life of sin. What a lesson to poor, misguided, deluded, wretched men! Had Charles Ogle thought half as much about his God, or strove half as hard to elevate his own soul to heaven, as he did to elevate General Harrison to

the Presidency, he might perhaps have lived an example to the rest of mankind, instead of a warning to the same.

From the Raleigh Standard, of May 26.

"GREAT NATIONAL BEREAVEMENT."

"Whig of the nation weep!"

Charles Ogle, esq. of "spoils" notoriety is no more! We learn from the Philadelphia papers that he died at his residence in Somerset county, on the 17th inst. It is thought the reaction of his "kitchen developments" occasioned his death.

Will President Tyler allow a "Christian People to be overtaken by a great public calamity" and not feel it incumbent upon him to set apart a day for Fasting and Prayer? When you recollect, Mr. Tyler, that it is the "distinguished" Charles Ogle that this nation has lost, we trust you will consider it a "bereavement peculiarly calculated to be regarded as a heavy affliction," and that you will therefore, "act in conformity with the general expectation and feelings of the 'whig' community"—in recommending "some fourth of July," as a day to be observed in "Fasting and Prayer, by such religious services" as Charles Ogle's "whig" brethren "may deem suitable for the occasion." And, "may they all, with one accord, join in humble and reverential prayer to Him, in whose hands they are, and invoke him to inspire them with a proper spirit and temper of heart and mind under these frowns of His Providence, and still to bestow His gracious benedictions upon our Government," by saving its people from the great evil of "national bereavements"—the establishing of a National Bank!

The Ill-fated President.—On the investigation at the office of the British Consul as to the truth of certain rumors, that this ship was out of trim, overloaded, &c., when she took her departure—all which were disproved conclusively—the following statement was given, which seems to us to furnish altogether the most probable solution of that vessel's fate:

N. Y. Amer.
Captain Cole, of the ship Orpheus, stated that he sailed in company with the President from New York on the 11th March last—that he was in sight of her until the evening of the next day: when he last saw her she was rising on a tremendous sea, and appeared to be laboring and pitching very heavily. The Orpheus at the same time was also laboring very much, and shipped large quantities of water on deck. Captain Cole thinks the President must have been at this time also shipping heavy seas—that the fires were probably extinguished, rendering the vessel comparatively helpless. The storm was dreadful during the whole night; the wind shifted the next morning from N. E. to S. E., causing a still more tremendous sea, and the gale continued with unabated fury until midnight on the 13th. Captain Cole also stated that it was his firm belief that the President did not survive the gale, but foundered, with all on board, before sundown on the 13th, or in less than twenty-four hours after he last saw her; and most probably in the terrific night of the 12th of March. In which opinion other nautical gentlemen present seemed fully to coincide.

Rapid Travelling.—The Government Express, which carried the President's Message, left Washington at three minutes before 12 o'clock, M. on Tuesday, and arrived at New York at half past nine in the evening of the same day. Time 9 hours and 33 minutes; distance, 225 miles, being at the rate of 24 miles an hour. The distance between the two places was never run in so short a time before.

Arrived at Baltimore, 1 06, left do 1 30
" Havre de Grace, 2 23
" Wilmington, 4 00
" Philadelphia, 5 15 Camden, 5 45
" N. Brunswick, 8 00
" Jersey City, 9 00
" New York, 9 30

THE MARKETS.

Petersburg, June 9.

Cotton, 9 a 11
Tobacco—Lugs, 3 70 a 4 90
Leaf, 6 00 a 10 00

Fayetteville, June 9.

Flour, 5 00 a 6 00
Salt—(sack,) 1 90 a 2 25
(bushel,) 75
Cotton, 7 1 a 10 1
Beeswax, 25 a 26

MARRIED.

In this county, on Thursday last, by the Rev. William Jones, Mr. BENJAMIN ROGERS, jr. of Wake county, to Miss MARTHA L. PATTERSON, daughter of Mr. Mann Patterson, deceased, of this county.

Weekly Almanac.

JUNE. Sun Sun
17 Thursday, 4 47 7 13
18 Friday, 4 47 7 13
19 Saturday, 4 47 7 13
20 Sunday, 4 47 7 13
21 Monday, 4 47 7 13
22 Tuesday, 4 47 7 13
23 Wednesday, 4 47 7 13

Received this Day,

and for Sale,

COFFEE, Sugar, Imperial and Hyson Teas, Mustard, Sal Aratus, Copers, Indigo, Honey-dew Tobacco, Candles, Cotton Cards, best quality, Bed Cord, Plough-lines, Window Glass, Powder, Shot, Nails, Ginger, Soap, Blacking, &c.

JAMES WEBB, JR. & CO.

June 18.

67

Mr. Andrew Mickle would respectfully inform the citizens of Orange, that he has declined being a candidate for the County Court Clerkship.

We are requested to announce Joseph C. Norwood (the present Clerk,) as a candidate for the office of Clerk of the Superior Court of Orange.

We are requested to announce George W. Bruce as a candidate for the office of Clerk of the Superior Court of Orange.

We are requested to announce Major John Taylor as a candidate for reelection for the office of Clerk of the County Court of Orange.

We are requested to announce Thomas Fawcett as a candidate for the office of Clerk of the County Court of Orange.

We are requested to announce John W. Hancock as a candidate for the office of Clerk of the County Court of Orange.

We are requested to announce Jones Watson as a candidate for the office of Clerk of the County Court of Orange.

Notice—Taxes.

I SHALL, at and at the following times and places for the purpose of collecting the Tax due for the year 1840.

Monday 5th July, at Jesse Durham's
Tuesday the 6th, at John Newlin's
Wednesday the 7th, at Rufin's Mill
Thursday the 8th, at Michael Albright's
Friday the 9th, at Mrs. Long's
Saturday the 10th, at Michael Holt's
Monday the 12th, at John S. Turcott's
Tuesday the 13th, at George Fawcett's
Wednesday the 14th, at C. F. Fawcett's
Thursday the 15th, at James Hutchinson's
Friday the 16th, at Gabriel B. Lee's
Saturday the 17th, at George A. Mebane's
Monday the 19th, at Hillsborough
Tuesday the 20th, at George Nichols's
Wednesday the 21st, at Mrs. McKee's
Thursday the 22d, at Abner Parker's
Friday the 23d, at William Lipscomb's
Saturday the 24th, at Harris Wilkerson's
Sunday the 25th, at Pratt's Store
Wednesday the 28th, at Joseph L. Moring's
Thursday the 29th, at William Trice's
Friday the 30th, at Chapel Hill
Saturday the 31st, at Thomas Long's
Monday the 2d August, at John H. Crutcher's
Tuesday the 3d, at Hillsborough (Town List)

The Justices appointed to take the lists of taxpayers for 1841, will attend at the above times and places; and every person failing to give in his list is subject by law to pay a double tax, and the Sheriff is bound to collect it. Punctuality is expected from all.

JAMES C. TURRETINE, Sheriff.
June 16.

A New Volume—in Splendid Style.

July, 1841.

GRATAM'S

Lady's and Gentleman's

Magazine.

THE great increase in the subscription list of this highly popular Magazine (the edition having more than doubled in less than six months), induces the proprietor to commence a new volume with the July number. It will be issued in the most attractive style, with the first of a new series of RICH ORIGINAL ENGRAVINGS, got up in a manner that shall surpass any used in any other American Magazine. In addition to the fact that we employ the talent of the very best American artists in the engraving of the plates for this work, it must be remembered that most of the subjects selected are ORIGINAL AMERICAN PICTURES, which have never been before engraved, and are consequently the newest that can be brought before the public.

HIGHLY COLORED FASHIONS.

It must be remembered, that the Fashion plates of this Magazine are the best in coloring and design that can be found in any work published in this country or in Europe. They are engraved and colored for this Magazine by the best artists that the country can produce, and are drawn always from the latest designs from Paris and London, and consequently may always be relied upon as the prevailing style in the United States for the month in which they are issued. We pay more for coloring than any other publication, and always have the best.

THE CONTRIBUTORS.

In addition, to the unusually fine array of original contributors which the Magazine has thus far boasted, arrangements have been made with a number more of the best writers of the day, so that spice and variety may be looked for in the literary department of the new volume.

SPORTS AND PASTIMES.

This interesting feature of the Magazine shall still be preserved, as important to young sportsmen, and in fact to all, young or old, who delight in the sports of the rod and the gun. Articles in this department shall be from acknowledged pens, and of the very best authority.

NEW TYPE AND PAPER.—The volume will be opened with a new and beautiful type, cast expressly for the work, the mechanical execution shall be of surpassing neatness, and the printing shall be upon the finest white paper.

NEW AND POPULAR MUSIC.

The choicest pieces of new and popular music for the Piano forte and Guitar shall be selected for its pages, and two or more pages shall appear regularly each month. In this way subscribers in remote country towns, can always have the latest music at low rates, almost as soon as it is published.

TERMS CASH.—The terms are \$3 for a single subscription, and in no case will a page be sent, or two copies for \$5 free of post age and discount, ALWAYS IN ADVANCE. No subscription received in any case without the money. This rule is imperative and will not be departed from. Address, post paid, GEORGE R. GRHAM, S. W. corner 3d and Chestnut streets, Philadelphia.

Wanted.

A GOOD COOPER, with sober and industrious habits, one that can make Flour Barrels, Tobacco Hopsheads, and Lead Kags. To such an one constant employment will be given.

PAUL C. CAMERON.
June 9.

78-4w

Fairfield Academy.

THE Fall Session of this School, (situated north west of Hillsborough,) will commence on the 15th of July and close on the 15th of December.

Board can be had in the neighborhood, at from \$4 to \$7.50 per month.

JAS. P. CLARK.

The Raleigh Register and Star will insert the above once a week for three weeks.

HILLSBOROUGH

English Male Academy.

WHILE exercises of this school will be resumed on Monday the 31st instant.

The following branches of education will be thoroughly taught, and at the following prices, viz:

1st. Spelling, Reading, Writing, and Arithmetic, \$6.00 per session of five months.

2d. Spelling, Reading, Writing, Arithmetic, Geography, History and Composition, \$8.00 per session.

A reasonable extra charge will be made for those who study Natural Philosophy and Astronomy.

The French Language will be taught by a native, at the rate of five dollars per session, and only to those that have entered this academy as regular students.

J. ODEND'HALL.

For further information apply to the following gentlemen, Commissioners of the town of Hillsborough, viz: Dr. Ed. Strudwick, John Berry, James M. Palmer, O. F. Long, Lemuel Lynch, Wm. H. Brown, and John Jents.

June 9.

Hillsborough Academy.

THE Fall Session will begin on the 15th of July, and end on the last day of November.

W. J. BINGHAM, Principal.

Assisted by Messrs. R. W. HUGHES, and E. J. MURPHY, one of whom will conduct the English Department.

The Principal begs leave to remind his patrons of the great importance of having their sons at school from the first to the last day of the session.

June 2.

The Raleigh Register, Star, and Standard, Wilmington Chronicle, Newbern Spectator, Edenton Gazette, Washington Whig, and Danville Reporter, will insert once a week for three weeks.

Notice.

ON the first Monday in September next, at the Poor House, the Court of Wardens will elect a Superintendent of the Poor for Orange County, for one year from the first of October 1841.

ED. STRUDWICK, Sec'y.

June 9.

A CARD.

THE subscriber begs leave to inform his friends and the public generally, that he has taken and fitted up the House on the south west corner of Hillsborough street, in the city of Raleigh, opposite the State Capitol, (formerly kept as a Tavern,) as a HOTEL and HOUSE OF ENTERTAINMENT, for the accommodation of travellers and others; under the name and title of

"The People's House."

The undersigned has had considerable experience as an Inn Keeper, both in this state and at the North, and flatters himself that he can please those who shall honor him with their custom. His charges shall be in conformity with the times and the prices of provisions. He has been at much expense in preparing and refitting the same, and therefore earnestly solicits a share of public patronage. It is usual in such announcements, to make large promises to the public, which are in many instances never realized—the subscriber will make none, for to those who have known him as a Public House keeper, it is unnecessary; and to those who do not, he would respectfully say, come and try, and judge for yourselves.

The public's humble servant,

JOHN ZIEGENFUS.

N. B. Genteel, regular boarders, with or without rooms, can be accommodated at The People's House, on reasonable terms.

Raleigh, May 26.

Five Cents Reward.

ANY person who can inform the subscriber on the 5th of May last, a bound boy by the name of JAMES HINTON, about thirteen years of age. I hereby forewarn all persons from harboring or employing him, under the penalty of the law.

DAVID CRAIG.

June 5.

STATE OF NORTH CAROLINA.

Orange County.

Superior Court of Law—March Term, 1841.

William C. Jackson.

Lucinda Jackson.

Petition for Divorce.

THE Defendant in this case being solemnly called and failing to appear, and it appearing to the satisfaction of the Court that she cannot be found within this State; it is therefore ordered by the Court, that publication be made for three months in the Raleigh Register and Hillsborough Recorder, that unless the said Defendant appear at the next term of this Court, to be held for the county of Orange, at the Court House in Hillsborough, on the second Monday of September next, and plead, answer or demur, the petition will be taken pro confesso.

JOS. C. NORWOOD, C. S. C.

Price adv. \$7.00.

66-3m

Negroes for Sale.

BY virtue of a decree of the Court of Pleas and Quarter Sessions for the county of Orange, I shall offer for sale, on Friday the 18th day of June next, at the late residence of James M. Adams, deceased, one likely Negro Girl, about twelve years of age; also a likely Negro Boy, about sixteen years of age. A credit of twelve months will be given, the purchaser giving bond and approved security.

JAMES M. ADAMS, Adm'r.

May 25.

Moffat's Life Pills.

AND

PHENIX BITTERS.

A FRESH SUPPLY.

Just Received and for Sale at this Office.

February 17.

BLANKS for Sale at this Office.

Job Printing.

EXECUTED AT THIS OFFICE.

Notice.

THE Superintendents of Common Schools, in the County of Orange, will hold a meeting at the Clerk's office of said county, on the 26th inst., at which time and place it is very desirable and absolutely necessary that all the members of the board should be present, as there will be business of importance to the successful operation of the schools transacted. It is also important that all the members of the Committee of the different School Districts in the county should attend said meeting, and they are requested to attend accordingly.

STEPHEN MOORE, Chairman.

June 2.

Junto Academy.

THE exercises of this Institution will close on the 15th of June, and be resumed again on the 15th of July. Terms as heretofore.

D. W. KERR.

May 24.

The Raleigh Star, Standard, and Register, will publish three times, once in two weeks.

Buffalo Springs,

in Mecklenburg County, Va.

THE Subscribers having become the owners of this Property, are extending their means of accommodation, and expect, by the opening of the Season, to be able to afford comfortable entertainment to two hundred and fifty or three hundred visitors. Their cabins are well finished, airy and comfortable—their Stables good, with a pump of excellent water in the yard. Their Bar shall be furnished with the best Wines and Liquors that can be procured, and their Table with the best supplies the country will afford. A band of good Music will be always in attendance; in fact, they intend to spare neither trouble or expense in their efforts to render this establishment a pleasant and fashionable resort for both the healthy and the sick.

As to the medicinal properties of the BUFFALO WATERS, it might be sufficient to refer to the subjoined statements of Doctors Harris and Venable, two gentlemen of distinction in their profession, and well acquainted with the properties and effect of the waters in all diseases. But as evidence of their Anti-Bilious effect, the subscriber, David Shelton, will state a fact as coming within his own knowledge, to wit: That for the last 30 years, families (often large) have resided at the Buffalo Springs, and that no instance of Bilious or Ague and Fever ever occurred in a family residing there; and so confident are the owners of the sovereignty of this water in Ague and Fever, and in so many instances have they witnessed cures (generally in a few days,) without ever knowing it to fail in a single instance, that they say to any person who will bring an Ague and Fever to Buffalo Springs, that if it don't cure, they will pay nothing for board. They might say much more of the efficacy of these waters in many other diseases, but they will only refer to the certificates of Doctors Harris and Venable.

DAVID SHELTON, CLEM. R. KENNON.

April, 1841.

Having practiced Medicine in the neighborhood of the Buffalo Mineral Spring for the last twelve years, I have had frequent opportunities of testing the efficacy of the water in various diseases. As a tonic and diuretic, it is not very far, if at all, surpassed by any water in the United States. Its action on the Kidneys is prompt and powerful. It is also sudorific and slightly aperient. These medicinal properties combined, render it useful in all Dropsical affections, Visceral obstructions, particularly of the Liver and Spleen, Cutaneous Diseases, Dyspepsia, convalescence from Fever, Derangement of the Secretory Organs, Intermittent Fever, and Female Complaints. In all chronic diseases in which the digestive organs are implicated, as cause or effect, this water acts with the happiest results. In Fever and Ague and protracted Intermittent Fever, it rarely, if ever, fails to afford permanent relief.

Viewed in reference to its peculiar action on the Kidneys, it may be regarded as a powerful remedy in all the chronic diseases of those organs, as likewise those of the Bladder and its Appendages. As a remedy in chronic female complaints, it is no less worthy of public confidence—and will here remark, that long experience has taught me, that in the catalogue of human ills, there is no class of diseases more perplexing to the physician than these obstinate and painful affections. The important organ peculiar to the sex, when in a state of derangement, exerts an influence which, if not timely arrested by proper treatment, involves very often, in one common ruin, both the mind and the body of the hapless sufferer. It is needless here to enumerate these diseases; suffice it to say that there is scarcely one, depending on a functional derangement or lesion of the organ referred to, that is not either permanently cured or mitigated by the use of this water for a month or two. The determination of fluids to the region of the pelvis consequent on its use, renders it a prompt, mild and efficient emmenagogue remedy in youthful females. Its powers are equally conspicuous in removing those diseases of the other sex acquired by habits of dissipation and debauchery. The first effect produced on strangers by drinking the water is a slight giddiness of the head, which soon passes off and is followed by an increase of appetite, a healthy glow on the surface, exhilaration of spirits, and a pleasing consciousness of new life and vigor infused into every organ of the body.

S. H. HARRIS.

Clarksville, Va. April 21, 1841.

I have for several years been attending to the effects of the waters of the Buffalo Mineral Spring, and can readily subscribe to the above recommendation, and would, in addition, remark, that after having noticed the effects of most of the so-called waters of the United States, I have no hesitation in pronouncing it altogether the safest.

P. C. VENABLE.

Blue Stone, April 22, 1841.

WOOD LAND For Sale.

ABOUT Fifty Acres, adjoining the Town, north.

Apply to JAMES WEBB.

April 20.

NEW HOPE WOOL-CARDING MACHINE.

THE subscriber has his Machine now undergoing a thorough repair, set with new Cards, by S. S. Claytor, whose skill and knowledge in the Wool-Carding business are well known to the public. He will be ready by the 15th of June to card Wool, and requests his customers to prepare their Wool properly, with one pound of oil or clean lard to ten pounds of wool. If the wool be brought thus prepared, it shall be carded to the satisfaction of the customer. As the Machine and Picker are propelled by horses, there will be no dis-appointment for want of water power, and will be able to card from seventy to eighty pounds per day. Wool neatly mixed at ten cents per pound.

CH. W. JOHNSTON.

May 25.

ENOE WOOL-CARDING MACHINE.

THE subscriber will work at his Mills on Enoe, five miles east of Hillsborough, the ensuing season, three Machines and one Wool Picker, all in good order. They will be under the superintendence of Mr. Samuel S. Claytor, who is well known as an experienced and skillful carder.

THOS. W. HOLDEN.

May 25.

Wool-Carding.

THE subscriber will have his Wool-Carding Machine in operation by the 8th of June, seven miles north-west of Hillsborough. He solicits the patronage of his friends and former customers, and the public generally; and as he is determined to use every effort to do good work, he will have his machines in good order, and has got new cards, he therefore hopes to meet with encouragement. Wool must be well washed, and picked clean of trash and burr, and have one pound of grease to ten of wool. Eight cents per pound for carding white wool, and twelve and a half cents for mixed, or the fifth part of the wool. Payment must be made when the wool is taken away.

LEMUEL WILKINSON.

May 25.

PRIVATE Boarding School.

THE subscriber will open a Boarding School for Boys, at his residence, Tusculum, within one mile and a half of Hillsborough, N. C., on the first Thursday in July next. His number of pupils will be limited. The course of instruction preparatory to an entrance into any of our Colleges. Instruction will be given in the French language, by a gentleman from France, of high qualifications. No additional charge will be made to the general price of tuition for such instruction, and every pupil will enjoy the benefit.

There will be but one vacation in the year, and that from the first of May to the first of September.

The charge for each pupil, for board and tuition, will be \$150 per annum, paid semi-annually, in advance.

Parents or Guardians, who may wish to place their sons or wards under his care, are requested to communicate their wishes to the subscriber, by letter, as early as convenient, directed to the

REV. JOHN WITHERSPOON.

April 1.

NEW GOODS.

THE subscribers have received and offer for sale at their Store House, one mile north of Cross Roads Meeting House, a fresh and desirable stock of Seasonable Goods, consisting in part of the following articles:

Common and Fine Blue Cloths, do. Invisible Green, do. Cassimeres and Satinets, do. Black Silk and Satin Vestings, do. Marcellines, do. French, London and Furniture Prints, do. Gauze Scarfs and Handkerchiefs, do. Stockings Drilling and Gembrown, do. Fashionable Bonnets and Wreaths, do. Plain, Figured, Swiss and Chequered Muslin, do. Riband, Edgings and Brown Linen, do. Linen Bosoms and Collars, do. Oil Cloths, do. Hardware, Cutlery, Crockery and Tin Ware, do. Paints, Nails and Iron, do. SADDLERY—Bridle Bits, Buckles, Plush, Webbing, Trees and Morocco Skins, do. HATS—Beaver, Brush, Russia, Mole-skin and Palm Leaf Hats, do. Ladies' fine Kid Slippers, and Men's Pumps and Shoes, do. 500 pounds Cotton Yarn, do. Books, Paper, and Paper Prints, do. Mayland's Scotch Snuff, do. Manufactured Tobacco and Cigars, do. Fancy and Bar Soap, do. and many other articles.

EM MURRAY & CO.

May 5.

Just Received and for Sale,

DR. PETERS' Anti-Bilious Pills. Dr. Beckwith's Anti-Dyspeptic Pills. Dr. Phelps' Anti-Bilious Tonic Pills. Dr. Sherman's Cough Lozenges. Dr. Sherman's Worm Lozenges. Dr. Sherman's Poor Man's Plaster, for pains in back and breast. Dr. R. S. Bernard's Cholera Syrup. W. W. Gray's Invaluable Ointment. Harrison's Specific Ointment.

Also, BACON, MEAL & FLOUR.

A. PARKS.

May 5.

Pine Shingles.

THE subscriber keeps on hand, for sale, PINE SHINGLES.

JAMES S. SMITH.

April 8.

NEW GOODS VERY CHEAP!!

WE are now receiving from New York and Philadelphia, a handsome assortment of Spring and Summer GOODS,

which have been bought cheap, and will be sold cheap.

This purchase was not made by order, but by one of the subscribers; we therefore think we are able to show a stock that must please our friends and customers wishing to treat themselves to a Summer supply.

OUR STOCK COMPRISES,

Superior wool dyed Black CLOTHS, do. do. Blue do. do. do. Invisible Green, do. do. Black Lama, do. Drop Deta, do. Do. Erminets, do. Fancy Cassimeres, Satinets, do. Cadet Janes, Kentucky Janes, do. Silk, Satin, Cashmere, do. and Marcellines, do. Printed Lawn, Jacksonet and French Mus- lin, do. Chaleys, plain and striped Gingham, do. Figured, striped and plain Light Silks, do. Black and blue-black Bombazines, do. French, English and American Prints, do. Plain and Chequered Muslin, do. Long Lawn, Hem stitch and Linen Cam- bric Handkerchiefs, do. Damask and Bird-eye Diaper, do. Irish and Brown Linens, do. Brown Holland, and Linen Drillings, do. Georgia Nankin, Cadet Cassimeres, do. Worked Collars, Edgings and Insertings, do. Florence and Straw Braid Bonnets, do. Hoods, Flowers, Bonnet Ribbons, &c.

Also,

Beaver Fur, Brush, Leghorn and Palm- leaf HATS, do. Gentlemen's Shoes, Boots, Pumps and Slippers, do. Ladies' Black and Coloured Slippers, do. Turkey Red and Cotton Yarn, do. Glass, Queensware, Crockery, and Stone Ware, do. Hardware and Cutlery, do. Chocolate, Mace, Cloves, do. Molasses, Loaf and Brown Sugar, do. Black and Green Teas, do. Powder, Shot, Nails, Window Glass, do. White Lead and other Paints, &c. &c.

PARKER & NELSON.

April 28.

Piano Fortes, Guitars, Violins, Violin Strings, &c.

THE subscribers would respectfully announce to their friends and acquaintances in Raleigh, and throughout North Carolina, that they have now on hand a large assortment of Nicks & Clark's Piano Fortes, which, for brilliancy of tone and unparallelled touch and durability, are not surpassed. They wish to say, that they will not demand pay for any Piano sold, until it is tried by the Purchaser, for which they will allow any reasonable time. They have also Violins of a superior quality, from \$150 up to \$500; a large selection of superior Violin Strings; Guitar Strings; all kinds of Wind Instruments for Military Bands, as Horns, Bugles, Fifes, Trombones, Serpents, and Bells; Saxophone, Flutes and Flageolets, single and double; French Accordions, of a pattern and tone never before seen here; Drums and Bass Drums, of all dimensions; an assortment of superior Guitars, together with the largest assortment of MUSIC ever before imported here.

The Subscribers will be glad to furnish Schools and others with Music, and being both willing to keep at all times the largest and most complete assortment. And being both of us Teachers, and having some experience in selecting Music and Musical Instruments, we hope to be enabled to keep such an assortment as will be pleasing, agreeable and useful to those who will favor us with their patronage.

We beg leave to say also, that we shall be glad to allow purchasers of our Pianos to keep them for a reasonable time and try them, before paying for them, and we will take back any Piano paid for, if proved to be defective, even after 12 months trial. Any Piano sold in Town or its environs, will be kept in tune for 12 months gratis.

CHARLES BERG & CO.

Petersburg, Va. March 31.

Piano Forte & Music STORE.

THE Subscribers respectfully announce to their friends and the public, that they are now opening, at their Store on Seymour street, a large assortment of Pianos, of superior quality, from the manufactory of Messrs. Nicks & Clark, New York, which they submit to the examination of their friends and the public. They have also on hand the largest and best selection of American and European Music that has ever been exhibited here. Also, superior Guitars, Violins, Accordions, Flutes, Fifes and Drums—a large assortment of Roman, French and English Harps, Guitar and Violin Strings.

They will receive weekly from the Northern Cities, every new publication of Music, intending to keep at all times the largest and most complete assortment. And being both of us Teachers, and having some experience in selecting Music and Musical Instruments, we hope to be enabled to keep such an assortment as will be pleasing, agreeable and useful to those who will favor us with their patronage.

We beg leave to say also, that we shall be glad to allow purchasers of our Pianos to keep them for a reasonable time and try them, before paying for them, and we will take back any Piano paid for, if proved to be defective, even after 12 months trial. Any Piano sold in Town or its environs, will be kept in tune for 12 months gratis.

CHARLES BERG & CO.

Petersburg, Va. March 31.

20 Dollars Reward.

RAN AWAY from the subscriber, Prospect Hill, Bladen County, a Negro boy named TOM. He was purchased of Allen Cain, of Orange County, where he is supposed to be gone. He is very stout, and weighs about 190 pounds; has been frost bitten; has a very peculiar walk, turns his toes very much out; height about 5 feet 8 inches; answers quick when spoken to; teeth wide apart; low forehead; complexion not the blackest, though dark. Twenty dollars reward will be given for his apprehension and confinement in any Jail.

WM. N. WHITTED.

Prospect Hill, Bladen, March 31.

Corn! Corn! Corn!

THE subscriber wishes to purchase FIVE HUNDRED BARRELS OF CORN.

J. S. SMITH.

January 13.

NOTICE.

THE undersigned would respectfully inform their friends, and the public generally, that they intend to withdraw from the Mercantile business; they would therefore request those indebted to them, to call and close their accounts by Cash or Note.

They would also avail themselves of this opportunity of expressing their sincere thanks for the very liberal support given them whilst in business.

They have still on hand a good assortment of

Dry Goods,

and other articles in their line, which they wish to dispose of for cash, or on a short credit to punctual dealers.

MICKLE & NORWOOD.

March 3.

NEW GOODS.

THE subscribers beg leave to inform their friends and the public generally, that they are just receiving from the Northern Markets

a neat and well-selected Stock of SPRING GOODS,

bought entirely for cash, and will be sold exceedingly low for cash, or on a short credit to punctual dealers.

Persons wishing to purchase, would do well to call and see before they buy elsewhere.

MEBANE & TURNER.

May 11.

BOOTS, SHOES, &c.

for the Spring and Summer.

THE subscriber would respectfully inform his friends and the public generally, that he has just received the largest assortment of articles in his line of business, perhaps ever before brought to this market; and as they have been entirely selected by the subscriber, with an eye to their neatness and durability, he thinks he can give satisfaction to all who may patronize him. The articles have been purchased on very reasonable terms and will be sold cheap. He invites his friends to call and examine his assortment before purchasing elsewhere. The following are comprised in his assortment, suitable for the Spring and Summer:

Gentlemen's Boots, first quality. do. do. second do. do. Shoes, first quality. do. do. second do. do. do. third do. do. Pumps—various qualities. do. Gaiter Shoes. do. Pump Shoes. do. Slippers.

Boys' Shoes—various qualities. do. Pumps and Slippers. Ladies' Philadelphia black Kid Slippers. do. do. colored do. do. Morocco Slippers—thick & thin soled.

do. Seal-skin Shoes and Slippers. do. Leather Shoes and Shoes. Misses' Philadelphia M-rocco Slippers—thick and thin soled. do. Colored Slippers—various patterns and qualities. do. Morocco and Leather Shoes. do. Low Shoes.

Children's Shoes, of almost every size and quality.

In addition to the above, he has received from the North his materials for manufacturing; and, having first rate workmen in his employ, is prepared to execute all orders in his line with neatness and despatch.

The subscriber would respectfully return his thanks to the public for the very liberal patronage he has received at their hands; and promises that no pains will be spared in the future to give satisfaction.

WM. H. BROWN.

April 29.

FRESH FRUITS, Confectionaries, &c.

MRS. VASSEUR takes pleasure in announcing to the public, that she has just received a fresh supply of Fruits, Confectionaries, &c., and is now able to furnish almost any thing that may be wanted in her line of business. They consist principally of the following articles:

Oranges, Lemons, Raisins, Prunes, Figs, Currants and Dates. Almonds, Walnuts, Brazil Nuts, Soda Crackers, Butter Crackers, Water Crackers, Sugar Crackers. Lemon Syrup and Lime Juice. Preserved Ginger, Preserved Pine Apples, Preserved Cherries, Sardines. A general assortment of Candies, Jujube Paste, excellent for colds. Cologne, Bears Oil, French Pomatum, Balm of Columbia, almost approved article for the hair. Chewing Tobacco, Cigars, Smoking Tobacco, Matches.

A handsome assortment of Toys. A few dozen of Corn Brooms, and a few Children's Carriages—sold very cheap.

April 29.

Wanted,

IN exchange for Dry Goods—BEES WAX, TALLOW, FEATHERS, and FLAXSEED.

JAMES WEBB, Jr. & Co.

December 19.

DOCTOR JOHN TON B. JONES,

RESPECTFULLY informs the public, that he has located himself at Chapel Hill, for the practice of Medicine and Surgery.

June 2.

Between 20 and 30 Likely Negroes FOR SALE.

ON the 4th Monday of June inst. the 28th day of the month, before the Court House in Hillsborough, I shall offer for sale ten or twelve Negroes, for Cash, by virtue of a Deed in Trust executed by N. I. King, to secure the payment of certain debts therein mentioned.

W. F. STRUDWICK.

By O. F. LONG, his attorney.

At the same time the Sheriff will sell the balance of the Negroes belonging to said King—J. C. TURRENTINE.

June 2.

Raleigh Register will publish two weeks and send account to J. Webb.

FEMALE SCHOOL, in Hillsborough, N. C.

THE ensuing session of Mr. & Mrs. BURNELL'S SCHOOL, will commence on Monday, the 14th of June.

The vacations will hereafter take place in the Spring and Fall, in order to accommodate pupils from the low country, who find it best to visit home at those seasons.

TERMS, AS HERETOFORE,

Tuition, \$17 50 Music, 25 00 Use of Piano, 5 00 Drawing and Painting, 10 00 French, 15 00 Latin, 10 00

Board in the most respectable families in the place, can be had at \$10 per month, (including every thing;) and parents who may wish to place their daughters under our care, can hear of places on application to us.

No deduction made for absence after the pupil is entered, except in cases of protracted sickness.

REFERENCES.

Hon. F. Nash, do. Hillsborough. Dr. James Webb, do. John W. Norwood, do. Rev. D. Lacy, Raleigh. Mr. John M. Roberts, do. Newbern. Mr. Alfred Hatch, do. Mr. Saml. Simpson, do. Mr. Robert Finmore, do. Mr. Richard Washington, Waynesborough. Rev. F. Nash, Lincolnton. Rev. Alexander Wilson, D. D. Greensboro.

The Star, Standard and Register, Raleigh, Newbern Spectator and Wilmington Advertiser, will insert once a week for six weeks.

May 19.

Moffat's Vegetable Life Medicines

THESE Medicines are indebted for their name to their manifest and sensible action in purifying the springs and channels of life, and ending them with renewed tone and vigor. In many hundred certified cases which have been made public, and in almost every species of disease to which the human frame is liable, the happy effects of MOFFAT'S LIFE PILLS and PHENIX BITTERS have been gratefully and publicly acknowledged by the persons benefited, and who were previously unacquainted with the beautifully philosophical principles upon which they are compounded, and upon which they consequently act.

The LIFE MEDICINES recommend themselves in diseases of every form and description. Their first operation is to loosen from the coats of the stomach and bowels, the various impurities and crudities constantly settling around them, and to remove the causes of those small intensions. Other medicines only partially cleanse these, and leave such collected masses behind as to produce habitual constipation, with all its train of evils, or sudden diarrhoea, with its imminent dangers. The fact is well known to all regular anatomists, who examine the human bowels after death; and hence the prodigious effect of these well informed men against the quick medicines, or medicines prepared and heralded to the public by ignorant persons.

The second effect of the Life Medicines is to cleanse the kidneys and the bladder, and by this means the liver and the lungs, the healthful action of which entirely depends upon the regularity of the urinary organs. The blood, which takes its red color from the agency of the liver and the lungs before it passes into the heart, being thus purified by them, and nourished by food coming from a clean stomach, courses freely through the veins, and every part of the system, and triumphantly mounts the banner of health to the blooming cheek.

Moffat's Vegetable Life Medicines have been thoroughly tested, and pronounced a sovereign remedy for Dyspepsia, Flatulency, Palpitation of the Heart, Loss of Appetite, Headburn and Headache, Restlessness, Ill temper, Anxiety, Languor and Melancholy, Constiveness, Diarrhoea, Cholera, Fevers of all kinds, Rheumatism, Gout, Dropsies of all kinds, Gravel, Worms, Asthma and Consumption, Scoury, Ulcers, inveterate Sores, Scorbatic Eruptions, and Red Complexions, Eruptive complaints, Sallow, Cloudy and other disagreeable Complexions, Erysipelas, Salt Rheum, Common Colds and Influenza, and various other complaints which afflict the human frame. In Fever and Ague, particularly, the Life Medicines have been most eminently successful; so much so that in the Fever and Ague districts Physicians almost universally prescribe them.

All that Mr. Moffat requires of his patients is to be particular in taking the Life Medicines strictly according to the directions. It is not by a newspaper notice, or by any thing that he himself may say in his favor, that he hopes to gain credit. It is alone by the results of a fair trial.

Moffat's Medical Manual; designed as a Domestic Guide to Health. This little pamphlet, edited by Wm. B. Moffat, 375 Broadway, New York, has been published for the purpose of explaining more fully Mr. Moffat's theory of diseases, and will be found highly interesting to persons seeking health. It treats upon prevalent diseases, and the causes thereof. Price, 25 cents. For sale by Moffat's Agents generally.

These valuable Medicines are for sale at the Office of the Hillsborough Recorder.

HEARTT, Agent.

May 20.

NEW GOODS.

THE subscribers have recruited their Stock, and are now enabled to supply their customers and the public to give them a call.

Their Stock consists of every variety of Goods common to this market, all of which they will dispose of on the most liberal terms. They are determined to make their prices conform to the times. They will make no fine promises to decry the cunning and unvary. Call and judge for yourselves.

JAMES WEBB, Jr. & Co.

May 5.

Soda Water and Ice Cream.

MRS. VASSEUR takes pleasure in informing the public, that her SODA FOUNTAIN has been thoroughly repaired, and is now in operation. The Soda Water is of an excellent quality.

She has also commenced making ICE CREAM; and persons can be supplied on any day in the week except Sunday and Monday.

May 19.

Brandreth's Pills.

A VEGETABLE and Universal Medicine, proved by the experience of thousands to be, when properly perceived with, a certain cure in every form of the OXID OXID, all having the same origin, and invariably arise from the UNIVERSAL ROOT of all disease, namely IMPURITY or IMPERFECT circulation of the BLOOD.

In a period of little more than three years in the U. S. they have restored to a state of health and enjoyment over ONE HUNDRED THOUSAND persons, who were given over as incurable by physicians of the first rank and standing; and in many cases when every other remedy had been resorted to in vain.

In all cases of Pain or Weakness, whether it be chronic or recent, whether it be deafness or pain in the side, whether it arise from constitutional or from some immediate cause, whether it be from internal or external injury, it will be cured by persevering in the use of these Pills.

This principle of purging with Brandreth's Pills, removes nothing but the useless and decayed particles from the body—the morbid and corrupt humors of the blood, those humors which cause disease—they impede the functions of the liver when they settle upon that organ, and which, when they settle upon the muscles, produce rheumatism; or upon the nerves, produce gout; or upon the lungs, produce consumption; or upon the intestines, costiveness; or upon the bowels, the blood vessels, apoplexy and paralysis, and all the train of disorders so melancholy to the sufferer and all who behold them.

Yes, purging these humors from the body is the true cure for all these complaints, and every other form of disease. This is no mere assertion—it is a demonstrable truth, and each day it is extending itself, far and wide, it is becoming known, and more and more appreciated.

The cure by purging may more depend upon the laws which produce weakness and pain, than may be generally imagined. Water, tends to stagnate, will produce sickness, because it tends to putrefaction; therefore the necessity of constant exercise is seen.

When constant exercise cannot be used from ANY CAUSE, the occasional use of BRANDRETH'S PILLS is ABSOLUTELY required. Thus the conduct of the blood, the fountain of life, are kept free from those impurities which would prevent its steady current ministering health. Thus morbid humors are prevented from becoming mixed with it. It is nature which thus assisted through the means and efforts which she has provided for herself.

Dr. BRANDRETH'S Office in Virginia, is 105 MAIN STREET, RICHMOND, Near the Old Market.

Where the Pills can be obtained at 25 cents per box, with full directions.

The following gentlemen have been appointed agents for the sale of Brandreth's Pills: Dennis He